

REGULAR MEETING of the Burrillville Town Council held Wednesday, March 26, 2008 at 7:22 P.M. in the Town Council Chambers, 105 Harrisville Main St., Harrisville for and within the Town of Burrillville.

PRESENT: Council President Nancy F. Binns, Councilors Wallace F. Lees, Kevin M. Blais, Margaret L. Dudley, John M. Karmozyn Jr., Norman C. Mainville and Cynthia L. Roe

MEMBERS ABSENT: None

1. Council President Nancy F. Binns led those present in pledging allegiance to the flag.

2. VOTED to accept the minutes of the regular meetings held February 27 and March 12, 2008; and dispense with the reading of said minutes.

Motion by Councilor Norman C. Mainville. Seconded by Councilor Cynthia L. Roe. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Kevin M. Blais, Margaret L. Dudley, John M. Karmozyn Jr., Norman C. Mainville and Cynthia L. Roe.

3. Public Comment: None

4. General Good and Welfare of the Town of Burrillville

- Council President Nancy F. Binns congratulated Coach Daigle and the Burrillville High School Boys' Hockey Team on their tremendous win of the division championship.

- Councilor Blais commented on a lack of information that the Town Council has received from the administration on issues such as recent bomb threats at the school and car accidents. Councilor Blais noted that he had visited a student in the hospital who had been severely injured in a car accident. Councilor Blais reported on the student's improved status.

- Councilor Blais discussed a newspaper report relative to a matter of litigation, objecting to comments made by two members of the Council.

- Councilor Blais read the following memo, received from the Manager and addressed to the Town Council, into the record:

I've reviewed the administrative matter raised by Councilmember Blais at your March 12, 2008 meeting.

Accordingly, it's my opinion there is no basis for the unfounded accusation made by Blais and no precedent whereby Councilmember Blais needed to abstain from participating in the March 12th meeting. This could have easily been avoided if Councilmember Blais made a simple phone call prior to the meeting to my office to explain his "dilemma". Had that occurred we could have reviewed his concern, addressed the matter prior to the meeting or had options ready for the Council to consider if there was merit to his "concern".

I'd like to request that the Council consider adding this memorandum

into your records along with the minutes of the March 12, 2008 meeting.

Councilor Blais revisited his concerns relative to the open meetings act.

- Councilor Norman C. Mainville referenced items 08-074 and 08-075, stressing how citizens' positive actions favorably represent the Town. Councilor Mainville commented on the life-saving actions taken by Mr. Lussier and acknowledged the scholastic progress represented by the success of the robotics team.

- Councilor Norman C. Mainville discussed a volunteer recruitment and training fair scheduled for April 19th at various school locations across the State.

- Councilor Margaret L. Dudley announced the town's hiring of seasonal personnel. Applications are available at the Town Manager's office for part-time openings at Parks & Recreation and the compost facility.

- Councilor Margaret L. Dudley announced the Burrillville Figure Skating Association's 35th Annual Ice Show schedule from 2:00 to 4:00 P.M. on Sunday, March 30, 2008 at the June Rockwell Levy Rink.

- Councilor Margaret L. Dudley disputed Councilor Blais' comments related to a potential open meetings violation.

- Michael C. Wood recognized Kevin Menard, Leo Plouffe and members the Upper Dam Association for the maintenance work that had been performed on the Pascoag Dam.

- Michael C. Wood responded to Councilor Blais' comments, discussing efforts to provide complete information and maintain

reasonable, productive meetings.

- **Nancy Binns restated her opinion that the March 12, 2008 meeting was not held in violation of the open meetings act.**

5. Petitions: None

6. Unfinished Special Business:

08-074 VOTED to open the correspondence from Councilor Norman C. Mainville regarding his request that the Town Council recognize Kenneth Lussier for his actions in assisting a motorist who was involved in an accident.

Motion by Councilor Norman C. Mainville. Seconded by Councilor Kevin M. Blais. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Kevin M. Blais, Margaret L. Dudley, John M. Karmozyn Jr., Norman C. Mainville and Cynthia L. Roe.

Discussion: Councilor Norman C. Mainville asked Kenneth Lussier and Evelyn Parenteau to approach. Mr. Lussier was recognized, as follows:

The Town Council of the Town of Burrillville hereby honors and commends Kenneth M. Lussier for his February 19, 2008 lifesaving actions, at which time he assisted Evelyn Parenteau of Glendale, who

had been involved in an accident on Victory Highway. Were it not for Kenneth Lussier's actions, empathy, and quick judgment, serious injury or worse may have occurred.

08-075 VOTED to open the correspondence from Councilor Norman C. Mainville regarding his request that the Town Council recognize the Burrillville High School Robotics Team, its Faculty Advisor, and the engineers of Raytheon Company.

Motion by Councilor Wallace F. Lees. Seconded by Councilor John M. Karmozyn, Jr. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Kevin M. Blais, Margaret L. Dudley, John M. Karmozyn Jr., Norman C. Mainville and Cynthia L. Roe.

Discussion: Andrew Aldrich, Faculty Advisor to the Burrillville High School Robotics Team, explained the competition and introduced John Demelim, Josh Groleau, James Wood, and Nate Desautels of the team. The team provided a demonstration of the robot that will be presented at the International Competition in Atlanta, GA.

The Town Council commended the team and wished them the best at the upcoming competition.

New Special Business:

08-093 VOTED to adopt a proclamation declaring April 19, 2008 as Burrillville Earth Day, as follows:

Burrillville Town Council

Resolution

WHEREAS, the Council of the Town of Burrillville recognizes that the First Earth Day in 1970 was the beginning of the modern environmental movement which helped shape the values and priorities of a whole generation; and

WHEREAS, as a result of citizen demand, Congress passed the Clean Air Act, the Clean Water Act, the Endangered Species Act, and superfund legislation putting a lasting framework for the future into place; and

WHEREAS, Rhode Islanders in general, and Burrillville residents in particular, have demonstrated leadership in environmental action and awareness, and have also expected environmental action from their leaders; and

WHEREAS, it is our common responsibility to clean up our environment and protect it from harm; and

WHEREAS, in 2008 Earth Day is April 22nd and in Rhode Island Earth Day activities will take place in the days and weeks around that date.

NOW THEREFORE BE IT RESOLVED that we, the Town Council of the Town of Burrillville declare April 19th 2008 Burrillville Earth Day in support this 38th year of Earth Day activities.

BE IT FURTHER RESOLVED that we, the Town Council of the Town of Burrillville, encourage Burrillville residents to participate in neighborhood cleanups, educational activities, and celebrations connected with Rhode Island Earth Day.

Adopted this 26th of March 2008

Motion by Councilor John M. Karmozyn, Jr. Seconded by Councilor Margaret L. Dudley. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Kevin M. Blais, Margaret L. Dudley, John M. Karmozyn Jr., Norman C. Mainville and Cynthia L. Roe.

7. Unfinished Business:

Note: Councilors John M. Karmozyn, Jr. and Norman C. Mainville recused from discussion of item 08-069.

08-069 Correspondence from Michael C. Wood, Town Manager, regarding adoption of the proposed classification plan.

VOTED to approve the Classification Plan dated February 13, 2008, as recommended, to be effective July 1, 2007. Note: All full-time classified employees not in the Classification Plan will receive a similar cost of living increase effective on the same date as those in the Classification Plan.

Motion by Councilor Wallace F. Lees. Seconded by Councilor Margaret L. Dudley. The motion carried, four in favor, one opposed, two recusals. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Margaret L. Dudley and Cynthia L. Roe. Councilor Kevin M. Blais voted in opposition. Councilors John M. Karmozyn Jr. and Norman C. Mainville recused.

08-081 VOTED to open the proposed resolution relative to An Act Relating to State Affairs and Government – The Rhode Island Taxpayer and Citizen Protection Act of 2008, as requested by Ms. Susan Kent.

Motion by Councilor Wallace F. Lees. Seconded by Councilor John M. Karmozyn, Jr. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Kevin M. Blais, Margaret L. Dudley, John M. Karmozyn Jr., Norman C. Mainville and Cynthia L. Roe.

Discussion: It was noted that Ms. Kent was not present.

VOTED to deny.

Motion by Councilor Norman C. Mainville. Seconded by Councilor Margaret L. Dudley. The motion carried, six in favor, one opposed. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Margaret L. Dudley, John M.

Karmozyn Jr., Norman C. Mainville and Cynthia L. Roe. Councilor Kevin M. Blais voted in opposition.

Note: Councilor Margaret L. Dudley recused from discussion of item 07-085.

08-085 VOTED to open the correspondence from Matthew R. Coppa, Controller, E.A. McNulty Real Estate, regarding their requests: 1) that the Council reconsider the condition(s) placed on the acceptance of a portion of Mill Pond Drive; 2) for permission to be granted a temporary certificate of occupancy for a home.

Motion by Councilor John M. Karmozyn, Jr. Seconded by Councilor Margaret L. Dudley. The motion carried, six in favor, one refusal. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Kevin M. Blais, John M. Karmozyn Jr., Norman C. Mainville and Cynthia L. Roe. Councilor Margaret L. Dudley recused.

Discussion: Michael C. Wood, Town Manager, suggested that certificates of occupancy be handled through the normal administrative process.

VOTED that the first condition (no reduction in bond amount) remain in place; but that the second condition, for permission to grant temporary certificates for occupancy, be handled by the

administration.

Motion by Councilor Norman C. Mainville. Seconded by Councilor Wallace F. Lees. The motion carried, five in favor, one opposed, one refusal. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, John M. Karmozyn Jr., Norman C. Mainville and Cynthia L. Roe. Councilor Kevin M. Blais voted in opposition. Councilor Margaret L. Dudley refused.

8. New Business:

08-094 VOTED to grant the request from Stephen Elmasian, Armenian National Committee, that the Town raise the Armenian flag at the Town Building on April 24, 2008 in memory of the 1,500,000 Armenian men, women and children who lost their lives during the Armenian Genocide.

Motion by Councilor Wallace F. Lees. Seconded by Councilor John M. Karmozyn, Jr.

Discussion: Councilor Norman C. Mainville asked residents to remember also the people who are being annihilated in the Middle East and in Africa.

The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Kevin M.

Blais, Margaret L. Dudley, John M. Karmozyn Jr., Norman C. Mainville and Cynthia L. Roe.

08-095 VOTED to open consideration and action on joining the Governmental Health Group of Rhode Island, Inc. (GHGRI).

Motion by Councilor Wallace F. Lees. Seconded by Councilor Margaret L. Dudley. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Kevin M. Blais, Margaret L. Dudley, John M. Karmozyn Jr., Norman C. Mainville and Cynthia L. Roe.

Discussion: Michael C. Wood, Town Manager, referenced the Town Council workshop on the matter held Thursday, March 20, 2008. Mr. Wood indicated that the purpose of the Group is to lower costs and secure better options for health insurance programs. Councilor John M. Karmozyn, Jr. agreed in the importance of cost-savings but voiced concerns related to potential changes in healthcare providers, fees associated with leaving the program before the end of the agreement, ability to continue a relationship with current physician, possible interruptions in coverage and access to medications. The Councilors discussed these concerns and the benefits of joining the group.

VOTED that the Town of Burrillville will join the Governmental Health Group of RI (GHGRI) effective July 1, 2008; and that the Town Manager is authorized to sign and execute the contract and any

associated documents with GHGRI on behalf of the Town of Burrillville; and that the Town Council send a letter to the School Committee expressing sincere hope that they will also vote to join this Group.

Motion by Councilor Margaret L. Dudley. Seconded by Councilor Wallace F. Lees.

The discussion of healthcare providers and the benefits of the Group continued. The need for flexibility in obtaining healthcare benefits was reviewed.

The motion carried, six in favor, one opposed. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Kevin M. Blais, Margaret L. Dudley, Norman C. Mainville and Cynthia L. Roe. Councilor John M. Karmozyn Jr voted in opposition.

Pending and proposed legislation:

08-096 VOTED to adopt a proposed resolution and letter of support relative to House Bill 2008 – H 7776, An Act Relating to Labor and Labor Relations – Health and Welfare Funds – Pension Plans.

Town Council of the Town of Burrillville

Resolution Supporting House Bill 2008 - H7776

WHEREAS, current fiscal conditions nationwide, statewide and locally are placing increasing pressure on all levels of government and on all taxpayers, including the taxpayers of the Town of Burrillville; and

WHEREAS, a major contributing factor to these fiscal pressures on taxpayers are ever-increasing health insurance costs for governmental employees; and

WHEREAS, major savings would be realized through the implementation of a uniform approach to health insurance on the state and local level which would both encourage competition among insurers and administrators of health insurance services and at the same time result in savings through the bulk purchase of health insurance and administrative services; and

WHEREAS, legislation has been introduced in the Rhode Island General Assembly in the form of House Bill 7108 which would prohibit language in collective bargaining agreements between the State and certain state employees and between the cities and towns and their employees and in arbitration awards which contain language identifying a specific medical, dental or optometric medical company; and

WHEREAS, the Town Council of the Town of Burrillville is supportive of this legislation as a viable and effective way to slow down the ever-increasing health insurance and administration costs facing the Town of Burrillville and, in turn to provide much needed savings to the taxpayers of the Town of Burrillville; and

WHEREAS, this is a matter of importance to the health, safety and welfare of the citizens of the Town of Burrillville.

NOW THEREFORE, BE IT RESOLVED that the Town Council of the Town of Burrillville hereby supports and encourages passage by the General Assembly of House Bill 7776, as well as any Senate version which may be introduced, which would prohibit language in collective bargaining agreements between the State and certain state employees and between the cities and town and their employees and in arbitration awards which contain language identifying a specific medical, dental or optometric medical insurance company as a viable and effective way to slow down the ever-increasing health insurance and administration costs facing the town of Burrillville and, in turn to provide much needed savings to the taxpayers of the Town of Burrillville.

The Town Clerk is hereby directed to forward a copy of the resolution to senators and representatives from the Town of Burrillville, to the Senate President, to the Speaker of the House of Representatives, to the Executive Director of the Rhode Island League of Cities and Towns and to each city and town council and school committee in the state of Rhode Island.

Passed as a Resolution of the Burrillville Town Council this 26th day of March 2008

The motion carried, six in favor, one opposed. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Kevin M. Blais, Margaret L. Dudley, John M. Karmozyn, Jr. and Cynthia L. Roe. Councilor Norman C. Mainville voted in opposition.

08-097 VOTED to declare surplus certain items, as listed, as requested by Edward J. Pienkos, Information Systems Manager.

Motion by Councilor John M. Karmozyn, Jr. Seconded by Councilor Margaret L. Dudley. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Kevin M. Blais, Margaret L. Dudley, John M. Karmozyn Jr., Norman C. Mainville and Cynthia L. Roe.

Other proposed and pending legislation:

Discussion: Michael C. Wood, Town Manager, explained Caroulo actions and the budgetary problems they present. Mr. Wood indicated that a new budget article for the FY08 Supplemental Appropriations Act proposed an alternative to the Caroulo act. The Rhode Island League of Cities & Towns supports repeal of the Caroulo Act, he said, but does not believe that the proposed article correctly addresses the matter.

MOTION to receive and file.

Motion by Councilor Kevin M. Blais. There was no second.

VOTED to let the legislators know that the Town Council is against supporting the Governor's 2008 supplemental appropriate act, H 7204.

Motion by Councilor Margaret L. Dudley. Seconded by Councilor Norman C. Mainville. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Kevin M. Blais, Margaret L. Dudley, John M. Karmozyn Jr., Norman C. Mainville and Cynthia L. Roe.

08-098 VOTED that the chairpersons of the town political committee(s) be asked to submit lists of qualified electors, from which the Town Council President will nominate one member and two alternate members of the canvassing authority; and if the chairperson(s) of the town committee(s) fail or refuse to submit lists, that the Town Council President make nominations for these three positions.

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Motion by Councilor Norman C. Mainville. Seconded by Councilor Margaret L. Dudley. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Kevin M. Blais, Margaret L. Dudley, John M. Karmozyn Jr., Norman C. Mainville and Cynthia L. Roe.

9. Town Clerk/Communication:

08-099 VOTED to receive and file the Quit Claim Deed granting 96 Pascoag Main Street from the Town of Burrillville to the Burrillville Redevelopment Agency.

Motion by Councilor Norman C. Mainville. Seconded by Councilor Cynthia L. Roe. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Kevin M. Blais, Margaret L. Dudley, John M. Karmozyn Jr., Norman C. Mainville and Cynthia L. Roe.

08-100 VOTED to receive and file the correspondence from Henry G. Burrell, U.S. EPA, acknowledging receipt and acceptance of all reports required to close out BF97153101-0 – Brownfields Cleanup.

Motion by Councilor John M. Karmozyn, Jr. Seconded by Councilor Norman C. Mainville. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Kevin M. Blais, Margaret L. Dudley, John M. Karmozyn Jr., Norman C. Mainville and Cynthia L. Roe.

08-101 Correspondence from Kathleen Viera Beaudoin, Town Clerk, of the Town of Portsmouth, regarding the Portsmouth Town Council's request for support of their resolution #2008-02-25 B. Note: This resolution is in support of Senate Bill 2008 S2655, introduced by

Senator Paul W. Fogarty at the request of the Burrillville Town Council.

VOTED to receive and file and support.

Motion by Councilor Norman C. Mainville. Seconded by Councilor John M. Karmozyn, Jr. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Kevin M. Blais, Margaret L. Dudley, John M. Karmozyn Jr., Norman C. Mainville and Cynthia L. Roe.

08-102 VOTED to receive and file the correspondence from the Towns of Richmond and South Kingstown regarding their Town Councils' receiving and filing correspondence from the Burrillville Town Council relative to requests for support of various legislation.

Motion by Councilor Norman C. Mainville. Seconded by Councilor Margaret L. Dudley. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Kevin M. Blais, Margaret L. Dudley, John M. Karmozyn Jr., Norman C. Mainville and Cynthia L. Roe.

10. VOTED to receive reports 1 through 25, as follows:

1. Town Treasurer: Report of February 2008

2. Burrillville Sewer Commission: No report

- 3. Tax Collector: Report of February 2008**
- 4. Department of Public Works: Report of February 2008**
- 5. Chief of Police: Report of February 2008**
- 6. Office of Building Official: Report of February 2008**
- 7. Animal Control Officer: Report of February 2008**
- 8. Burrillville Housing Authority: Meeting of February 13, 2008**
- 9. Planning Board/Town Planner: Meeting of February 4, 2008**
- 10. Zoning Board of Review: No report**
- 11. Parks and Recreation Department: No report**
- 12. Information Systems Department: Report of March 2008**
- 13. Burrillville Conservation Commission: February 12, 2008**
- 14. Ordinance Subcommittee: Meetings of December 24, 2007 and January 11 & February 22, 2008**
- 15. Redevelopment Agency: No report**
- 16. B-PAC: No report**
- 17. Personnel Board: Meeting of February 12 & 26, 2008**
- 18. Screening Subcommittee: No report**
- 19. Budget Board: No report**
- 20. Library Building Committee: Meeting of February 13, 2008**
- 21. Library Fundraising Committee: No report**
- 22. Burrillville School Committee: No report**
- 23. Callahan School Building Committee: No report**
- 24. Senior Center Feasibility Study Committee: Meeting of February 6, 2008**
- 25. Emergency Management Agency: No report**

Motion by Councilor Norman C. Mainville. Seconded by Councilor Margaret L. Dudley. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Kevin M. Blais, Margaret L. Dudley, John M. Karmozyn Jr., Norman C. Mainville and Cynthia L. Roe.

11. Additional New Business: None

12. VOTED to adjourn at 8:20 P.M.

Motion by Councilor Wallace F. Lees. Seconded by Councilor Margaret L. Dudley. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Kevin M. Blais, Margaret L. Dudley, John M. Karmozyn Jr., Norman C. Mainville and Cynthia L. Roe.

The meeting was taped. The tape is on file with the record of the meeting.

Louise R. Phaneuf, Town Clerk